

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARGARET LINDSLEY

v.

AMERICAN HONDA MOTOR
COMPANY, INC., ET AL.

:
:
:
:
:
:

CIVIL ACTION

NO. 16-0941

ORDER

AND NOW, this 7th day of July, 2017, upon consideration of Defendant American Honda Motor Co., Inc.'s ("Honda") Motion to Dismiss for Failure to State a Claim (ECF No. 7), and Defendant Ada Technologies, Inc.'s ("Ada") Motion to Dismiss for Lack of Personal Jurisdiction and Failure to State a Claim (ECF No. 19), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** as follows:

1. Defendant Honda's Motion to Dismiss is **GRANTED** in part and **DENIED** in part as follows:
 - a. The Motion is **GRANTED** with respect to Honda's Motion to Dismiss Plaintiff's demand for punitive damages
 - b. The Motion is **GRANTED** in part and **DENIED** in part with respect to Plaintiff's UTPCPL claims against Honda. The Motion is **GRANTED** with respect to Plaintiff's claims under subsections v and vii of the UTPCPL, and those claims are **DISMISSED**. The Motion is **DENIED** with respect to Plaintiff's claim under subsection xxi of the UTPCPL.

2. Defendant Ada's Motion to Dismiss is **GRANTED** in part and **DENIED** in part as follows:

- a. The Motion is **DENIED** with respect to Ada's Motion to Dismiss Plaintiff's claims for lack of personal jurisdiction. However, Plaintiff is permitted to conduct jurisdictional discovery consistent with the Memorandum filed herewith.
- b. The Motion is **DENIED** with respect Plaintiff's Failure to Warn claim.
- c. The Motion is **GRANTED** with respect to Ada's Motion to Dismiss Plaintiff's demand for punitive damages.

IT IS SO ORDERED.

BY THE COURT:

A handwritten signature in dark ink, appearing to read 'R. Surrick', is written over a faint horizontal line.

R. BARCLAY SURRICK, J.